

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE DISTRICT OF PUERTO RICO

IN THE MATTER OF:

HERNANDEZ RIVERA, MARILYN

XXX-XX-8113

Debtor(s)

CASE NO. 03-11761 GAC

Chapter 7

FILED & ENTERED ON 2/27/2004

DISCHARGE OF DEBTOR

It appearing that the debtor is entitled to a discharge, **IT IS ORDERED:** The debtor is granted a discharge under Section 727 of Title 11, United States Code, (the Bankruptcy Code).

San Juan, Puerto Rico, this 27 day of February, 2004.

BY THE COURT


Gerardo A. Carlo
U.S. Bankruptcy Judge

cc: all creditors

SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

1 **EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE**

2 This court order grants a discharge to the person named as the debtor. It is
3 not a dismissal of the case and it does not determine how much money, if any, the
trustee will pay to creditors.

4 Collection of Discharged Debts Prohibited

5 The discharge prohibits any attempt to collect from the debtor a debt that
6 has been discharged. For example, a creditor is not permitted to contact a
debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach
7 wages or other property, or to take any other action to collect a discharged debt
from the debtor. There are also special rules that protect certain community
8 property owned by the debtor's spouse, even if that spouse did not file a
bankruptcy case. A creditor who violates this order can be required to pay
damages and attorney's fees to the debtor.

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10 However, a creditor may have the right to enforce a valid lien, such as a
mortgage or security interest, against the debtor's property after the
11 bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case.
Also, a debtor may voluntarily pay any debt that has been discharged.

12 Debts That are Discharged

13 The Chapter 7 discharge order eliminates a debtor's legal obligation to pay
14 a debt that is discharged. Most, but not all, types of debts are discharged if
the debt existed on the date the bankruptcy case was filed. (If this case was
15 begun under a different chapter of the Bankruptcy Code and converted to Chapter
7, the discharge applies to debts owed when the bankruptcy case was converted.)

16 Debts that are Not Discharged

17 Some of the common types of debts which are not discharged in a chapter 7
18 bankruptcy case are:

- 19 a. Debts for most taxes;
- 20 b. Debts that are in the nature of alimony, maintenance or support;
- 21 c. Debts for most student loans;
- 22 d. Debts for most fines, penalties, forfeitures, or criminal
restitution obligations;
- 23 e. Debts for personal injuries or death caused by the debtor's
24 operation of a motor vehicle while intoxicated;
- 25 f. Some debts which were not properly listed by the debtor;
- 26 g. Debts that the bankruptcy court specifically has decided or will
decide in this bankruptcy case are not discharged;
- 27 h. Debts for which the debtor has given up the discharge protections by
28 signing a reaffirmation agreement in compliance with the Bankruptcy
Code requirements for reaffirmation of debts.

29 This information is only a general summary of the bankruptcy discharge.
30 There are exceptions to these general rules. Because the law is complicated,
you may want to consult an attorney to determine the exact effect of the
31 discharge in this case.

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